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## Corporate land grabs: colonial continuity and space of exception in Kenya

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# **Corporate land grabs: colonial continuity and space of exception in Kenya, Land Use Policy**

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## **Abstract**

In this paper, the focus is on land dispossession instigated by large corporations, and the way they produce spaces of colonial persistence through particular structures and sovereignty systems that differ from the state-based administrative settings in which they are located. The study looks at phenomena that can be observed on large agricultural estates, particularly in the Teita sisal plantation in Taita-Taveta County in Kenya. This is one of the largest sisal estates in the world, established during colonial times. It is a corporation that uses migrant workers to avoid potential conflicts with the neighbouring communities which still consider those fields to be their own ancestral land. Different working tasks are racialized, and functioning bodies are exploited as resources that have to be maximised. Inside the camp, life and work are regulated with meticulous biopolitical order in restricted conditions. Patrolled borders and gates maintain distance from the local communities who claim the estate is expanding, dispossessing them of land, roads and the river, and repositioning them as squatters on what they see as their ancestral land. In relation to this private company, the national state values its taxation contributions and does not question the exceptional conditions of exploitation of human and environmental resources occurring within that space. The estate was accessed in 2013 and interviews took place then and later. This case study reveals situations of oppression on both sides of the estate borders, including struggles that remain fragmented and hidden. There is a need for new solidarity linkages between groups confronting land and other resource dispossession on a wider scale, to support their political empowerment and rights to human and environmental justice.

**Key words:** *Land grabs, agrarian corporations, agribusiness, colonial estates, space of exception, plantation, racialized work, Kenya*

## **Introduction**

This article contributes to the understanding of social realities within large-scale agrarian schemes in Africa through the analytical concepts of colonial continuity and space of exception. While the foreign capitalist presence has expanded in Africa in recent times through new land licensed by the states, the heirs of colonial settlers still run some estates.

In this study, the focus is on a sisal estate in Kenya, established in the early 1920s and still centrally positioned in the global agribusiness network. I entered the corporate space in 2013, while involved in research on water accessibility in the semi-arid area of Mwatate and noticed that its major freshwater source, the Mwatate River, was flowing within the estate's borders. The research team needed to understand how the neighbouring communities could make use of the resource and how their water use was regulated by the estate. This broadened the field of observation and the topics discussed in the interviews on that occasion and later. It became evident that relations between the estate and external communities were hostile, and that local people living outside the estate could

not rely on measures based on legal norms or political advocacy to safeguard their rights against the estate. It was also clear that the company was functioning as a stronghold of intensive water extraction, agribusiness production and authoritarian control over the migrant labour force living within the estate.

Looking at this case study allows for the disentanglement of several phenomena that have occurred globally during the last century. Firstly, this case is characterised by colonial structures that persist in the production area in independent states in which colonial assets have not been nationalised (Cooper 2014, Hornsby 2012); structural continuity has been particularly evident in agrarian spaces (Ertsen 2008, Gibbon 2011). Secondly, it is important to link this case to the privatisation and land and water grab debate (Andreucci et al. 2017; Mehta et al. 2012). Companies have free rein in land and water acquisition, thanks to supportive institutional environments and through non-transparent deals disempowering small farmers (White et al. 2012). Thirdly, political-geographical lenses of territorialisation can explain the company strategies in implementing internal spatial restructuring and border enforcement, with the aim of ensuring resource control and authoritarian continuity (Delaney 2005, Swyngedouw 2007, Elden 2010). Finally, companies use specific techniques of control over the workers in all their living functions and unfreedom (Kothari 2013) in a territorialised space defined as a space of exception (Agamben 2005, Gregory 2006, Minca 2017). This allows to look beyond the economic or financial success of the company, and to capture the human rights issues entangled in the company's mode of production and territorial organisation. In this paper, I start by describing the theoretical argumentation and the situation of land privatisation in Kenya. I then introduce the research methodology, the case study situation with an emphasis on the impacts of the corporation on the local traditional livelihoods and resource rights, and the analytical findings. Subsequently, I look at the case study, a sisal scheme based on ancestral land, and analyse its web of political, economic and territorial relations that guarantee its persistence in Kenya as a site of production and biopolitical control. Methodological issues are also discussed in relation to the challenges of conducting critical social research in a tightly controlled space, suggesting the importance of at least researching it from the outside, where disposable bodies, losses and daily struggles are evident.

### **Theoretical concepts**

This study was theoretically inspired by the role of coloniality and of exception in agrarian spaces, within the broader field of development studies (Edelman and Wolford 2017, Cotula 2017).

Agrarian estates in Africa are capitalist spaces formed over colonial structures that have persisted despite legal independence. Colonial spaces are more than spaces of capitalist production. They

create *critical junctions* (Kalb and Tak 2005) through time, space, relations of power and dependency. Their infrastructure shapes the space and transforms their territorial processes, as “living mediation of what organizes life” (Berlant, 2016:393).

The colonial attribution is not conceived in legalistic terms, but in the social, cultural and political terms proposed by decolonial scholars that on the African continent are represented by Ndlovu-Gatsheni (2013; 2015). It has some proximity to the neo-colonialism debate, as this case is related to export-led economies through appropriation and vigorous accumulation of resources, and no local redistribution of surplus value.

Colonial continuity is also be connected to settler colonialism. In most cases, land grab occurs under coloniality of power, global markets, authoritarian corporatism and unresponsive State regimes or endorsing local governments (Nyang'oro and Shaw, 1989). These adhere to modernisation narratives that would positively correlate extensive landholdings to intensified production and secured crop, revenue and jobs. Li (2014), among others, has explained how these processes erode local livelihoods and cause new poverty. In some cases, land appropriation is even justified by *force majeure*, to face declared ecological degradation via protected areas: i.e. enclosures of privately-managed game parks connected with the leisure and tourism economy (Peluso and Lund 2011). While game ranching, resorts and plantation estates increase, open and available space for local and indigenous communities shrink dramatically, making it impossible for small farmers and pastoralists to secure a living for their families.

Large-scale agrarian schemes have been observed in various African countries as sites where land occupation, water diversion and other physical and immaterial processes have been enforced by practices of eviction and racialized control over the workforce (e.g. Minoia 1996; 2012). According to human geographers and political ecologists (e.g. Andreucci et al. 2017; Bertoncin et al. 2019; Mehta et al. 2012; Swyngedouw 2007), these agrarian estates are *territorialised* spaces, where traditional human-spatial practices and relative assets are annihilated and substituted by new structures responding to the scheme managers' plans and the production of financial value. The recreated ones are distinct domains that relate both to strict farming cycles and dispossession of land, resource extractivism, changes in social structures and ethnic composition, and authoritarian control (Acosta 2017). These structures of power interact paternalistically with their subaltern subjects, seen as incapable of securing adequate livelihoods and autonomous representation and therefore, are in need of their protection and even care provision, unrelated to those offered by the State.

Territorialised spaces are maintained through political orders, technology and infrastructure (Elden 2010, Bassett and Gautier 2014); among the latter, borders and bordering practices operate through fences, gazettelement, entitlement and registration. Borders are emplaced by either public or private actors, to obstruct human and non-human access to resources and spaces. They are not necessarily linear but can be formed by buffer areas, for instance through farmlands, as is observed in north-eastern Sudan. Irrigation schemes in Khashm el Girba-New Halfa and Gash-Tokar delta at the border with Eritrea were established for crop production and border stabilisation by settlement of nomadic groups with landless farmers, to occupy state peripheries (Bertoncin et al 1995, Minoia 1996, Elhadary 2014). In these cases, territorialisation is produced through manipulation of water, land and other natural resources and capitals. Production cycles, organisation and crop species are firmly decided on from higher levels through authoritarian regulations. Traditional practices and territorialities, like those of pastoralists, are unrecognised and obstructed (German et al., 2017).

With the political and economic changes and privatisations of the 1980s, corporations have become the new dominant actors in large-scale farming. The selloff of state-managed schemes and new land grabs of communal lands have led to a concentration of large private holdings.

Land enclosures, no matter whether they are public or private property, through the marginalisation of smallholdings and grazing, exacerbate the combined effects of climate and environmental changes and make subsistence harder (Hastrup and Olwig 2012, Elhadary 2014). Bordering practices limit traditional mobility and shifting cultivation practices protecting livelihoods from soil depletion. The aim of circularity, seasonality, and other temporal forms of mobility within rural areas was to extend the spatiality of livelihoods through common routes, pasture lands and cultivation shifts, as a number of ethnographers have described (e.g. Lebon 1961, Gallais 1984, Hohenthal and Minoia 2017). For instance, wide arid and semi-arid areas in Northern and Sub-Saharan Africa have supported diverse livelihoods, like the extensive grazing and nomadic trails along routes served by artesian wells or rain-fed agriculture in communal areas. In other words, those territories were adapted to extensive traditional uses regulated by indigenous communities. This was until the colonial and independent states started valuing land as a resource for intensive farming and initiated a policy of land control and titling in areas of customary rights.

Similar patterns also existed in other ecological zones. In the upper lands of the Taita Hills of Kenya, customary grazing and shifting agriculture followed seasonal rains and consequent flash flooding, and controlled slash and burn practices in forested areas. Therefore, agro-silvo-pastoralism could be organised flexibly in response to ecological and hydro-meteorological variations.

Land privatisation is a territorialising act, causing spatial rigidity and control by a minority, and obstructing the resilience of local groups, either pastoralists or small farmers. The domestic character of these barriers to flexible mobility has normalised the idea of the loss of customary entitlements by local groups. The crisis is produced by progressive environmental changes in connection to unequal power relations led by authoritarian units within the controlled spaces, and bordering practices. The traditional mobility of local groups becomes risky, precarious, seen as invasive of others' rights and sanctioned as they are found guilty of trespass. This rigid marginalisation is marked by borders, be they national frontiers or internal properties, infrastructures and areas of segregation. Local groups are thereby rejected into a status of bare, dangerous life and political disempowerment (Evans and Reid 2014).

However, the spatial shrinking of the local community lands and resource injustices deriving from exclusive and highly concentrated entitlements are still largely unchallenged politically. As it has been observed in other areas of the world (e.g. in the Peruvian Andes: de la Cadena 2015), protests and restitution claims exist but are rarely recognised or reported, even by organised civil society groups or trade unions. Niche media provide occasional coverage; otherwise, there is little information about the life conditions of local workers in large estates, and of evicted or marginalised people outside the grabbed land.

Workers used as resources for production deserve closer attention. As several scholars (e.g. Cooper 2014: 5-6, Langan 2018, Patel and Moore 2017) have reminded us, plantation slavery is at the basis of capitalist accumulation. After independence and the banning of the slave trade, forced migration and unfree work has continued on large-scale agricultural estates. Not only have these spaces constituted production sites, but also living sites of contract labour migrants, compelled to work and live in conditions of unfreedom and spatial confinement (Kothari 2012). These assemblages take the form of what has been conceptualised by Agamben (2005) as spaces *of exception*: extra-territorial enclaves characterised by biopolitical regimes producing and controlling bare life, even in states that are otherwise seen as democratic. They are considered to be exceptional by holding the power of territorial control and internal policing, unbound from the legal compliance and political negotiation that is necessary in outside spaces. As argued by Cotula (2017), the state of exception paradigm is “an increasingly resorted-to mechanism of government in contemporary politics” (p. 424) which helps to reconceptualise the relations between territory and sovereignty on sites from which natural resources are extracted, and of production and export of manufactured goods, for the global economy.

## **Land privatisation in Kenya**

During the colonial period in Kenya, communal and ancestral land became recognised as Crown land, but traditional control remained. After formal independence, it was with the Land Adjudication Act (1968) that traditional rural systems were refuted and ancestral lands incorporated into the overall redistribution plan. The titling adjudication is still under implementation; a recent report published by the Kenya Land Alliance (2018) states that 3.2 million new title deeds were registered between 2013 and 2017, covering an area of 10,129,704 ha, with great gender disparity as only 1.62% of land was assigned to women. Even in the initial post-independence phase, distributions took place along ethnic and genealogical lines and did not benefit all households. However, most Kenyans who benefited from the adjudicated land since 1968 have not yet received the title deeds, and official data on the overall distributed land are not available (Kenya Ministry of Lands and Physical Planning 2017). Land privatisation has so far only reached the most privileged groups and created exclusion. A large section of rural Kenyans still practices pastoralism, and the search for natural pastures conflicts with arable crop requirements, with farmers accusing them of unlicensed wood and water collection, and soil erosion (Kenya Land Alliance 2018).

Various public reports have also described a perception among public officers of small farmers being bad managers of their own land (Mwandoo-Kang'ee 2013, Hohenthal 2018); although they are left unassisted in their daily efforts with land ploughing and farming, family investments, trials for soil protection, small commerce, heritage divisions and many other practices around the reduced, exhausted plot threatened by climate insecurity and repeated animal attacks that destroy crops (Mnyamwezi 2011). Hardship of land tenure challenges the security of farming in small plots so that farmers often finally sell their land to urban investors who enlarge their domain. With the land, they commonly offer their own workforce and become either sharecroppers or salaried workers. Privatisation of common lands and property mergers make shifting cultivation practices impossible, as open fields become unavailable.

Especially large-scale properties produce visible territorialising impacts. Little change has occurred since Kenyan state independence, as corporations were not nationalised and could continue with the same assets (Hornsby 2012). In addition to farming estates, wildlife protection areas have acquired more land, either state- or community-led, or private. Surveys and remote sensing show that the number of wildlife being conserved is increasing, although in diminishing proportions (Kenya Land Alliance 2018). Moreover, many ranches host species collected from other regions, and therefore, cannot be considered to be pristine sites. The sector sees a broad presence of foreign entrepreneurs,

but in general, little is known about the extent, scale and scope of many private conservation areas (Carter et al. 2008).

### **Case study: Teita Sisal Estate**

My aim with this paper is to initiate an exploration of realities within and outside one land grab site, the large-scale Teita sisal plantation near Mwatate in Taita-Taveta County, Southern Kenya (Fig.1). It is a farming monoculture established in the early 1920s by foreign settlers when the British colonial government built a dam and the estate on Crown Land and a 55-acre reservoir for processing sisal. The estate occupies ancestral land formerly used communally, mostly for animal grazing and subsistence farming. Pastoralist groups still use the surrounding areas for animal grazing and go close to the Estate in their attempt to reach the river and the reservoir. After Kenya's independence, the estate was progressively extended through successive land grabs.

*Fig.1 Teita Sisal Estate: localisation and bird's eye view on Sembe hill, a shrine and water catchment area* (maps by Johanna Hohenthal 2018; photo by Jason Jamhuri Collette @kenyapics 28.5.2019).

The estate is an important presence within the Taita Taveta county. The county hosts two national parks covering 62% of its overall territory, with watersheds covering 16%, and agricultural land and settlements 22% of the total area (Taita Taveta County Development Plan 2013-2017 (2012).

However, this latter part is used only marginally for household farming, as it includes 28 ranches and large agro-industry schemes, including the Teita Sisal Estate and two other companies producing sisal. These companies use the soil and water the most intensively, and Teita, which covers 30 000 acres, is currently one of the largest sisal estates in the world.

Teita is a major contributor to the national production of sisal, and Kenya is the third-largest producer after Brazil and China. According to our informants, in 2013 the estate was selling 35 tons per day, which equalled the monthly output of the neighbouring Voi Sisal Estate. In addition to cultivation, the estate processes fibre that is sold in different grades of colour and quality, in 250-kilogram bales. International agents Wigglesworth and Landauer Limited buy the sisal and sell it to retailers. Sisal fibres are used for making rope, brushes, furniture and other accessories and are used in carpentry. The corporation is listed on the stock exchange.

### **Research methodology**



I was in the Taita Taveta County area with colleagues involved in other research, but the reality of this large corporation with its heavy drainage of resources from the wider region, called for more attention (Hohenthal et al. 2015).

We were able to enter the estate only once, in 2013. Visits by outsiders are were difficult, because the estate had complicated relations with the surrounding of conflicts with local communities, who were asking for restitution of land and secure access to water. Admission was made especially difficult because it was just before a presidentialn election. Earlier requests from some researchers had been denied. On that occasion, we had to turn off our recorders and could take very few photographs. We could only speak to two members of the Estate's management board, white settlers, one of whom escorted us during the visit. We were not permitted to speak to any of the workers. During several visits in the region between 2013 and 2015, we interviewed twelve women living close to the estate and seven representatives of water projects and water user associations based in the Mwatate area. (More details are available in Hohenthal et al. 2015). Moreover, local online newspapers have reported on some of the land struggles and the insecure life of the squatters. As argued by Oya (2013), blogs and popular media may contain some forms of imprecision, but their contribution is fundamental in assessing land grab and land use, issues about which data are notoriously difficult to collect. Even official statistics are not accurate. Therefore, this study is qualitative in nature.

It was necessary to wait several years before working on a publication on the estate to avoid conflicts that would have challenged another ongoing research project on institutional and local communities' perceptions about water problems in the region (Hohenthal et al. 2018). For this study, we have not contacted the new members of the management board of the estate.

The interviews, observations diaries and other materials documented the ongoing conflicts about instances of land and water grab. Moreover, for the analysis, I used the interpretive lenses of scholarly categories of colonial continuity (Cooper 2014, Ertsen 2008, Gibbon 2011, Kothari 2012), territorialisation (Elden 2010), and Agamben's (2005) space of exception and its application by Cotula (2017) on agrarian spaces.

### **Conflicts due to land and water grabs**

The land available for household farming and grazing is decreasing, although there is no clarity in the number of registrations. The Taita Taveta County Integrated Development Plan 2013-2017 (2012) mentions that only 35% of the landowners have received title deeds; and that only 26 forest parcels, out of 78 in the County, have been gazetted so far. This means that the risk of eviction of traditional farmers is still present. According to land use planners and other people we interviewed,

title deeds have increased in a problematic manner, benefiting affluent people who could access legal advice, while small-holder farmers, who are traditionally using those lands without legal certification, have no capacity to contest those formal acquisitions. This problem generates a wide range of conflicts and feelings of insecurity.

Moreover, despite the long occupation by the estate, locals still consider the estate area as being their ancestral land that should be returned to them. Yet the estate continues to expand, keeping tensions high. During the time of our visit, many protesters were asking for restitution of grabbed land. Protests involved the area of Singila/Majengo on the northern side of the estate. There, evictions of more than 6 000 people by Teita and other neighbouring estates started in 1991 (Mwandambo 2015) and continued into subsequent decades (Mwadime 2015). In 2015, houses were demolished, and goats confiscated by the police, with the official justification that they were grazing around the sisal plants (Mwandambo 2015). Consequently, people live as squatters and cannot settle permanently or practice any farming. Land claims against the Teita and other sisal estates from other communities total some 70 000 acres. By 2016, only 200 acres land had been returned to the Singila community (Mkanyika 2016). (*note: "Anonymous informants said that in 2019 more land was given back, but we could not obtain more specific data on this matter"*).

The southern part of the estate is arid with extremely low and erratic rainfall, and is therefore unsuitable for the sisal cultivation. However, the corporate managers do not see this as a reason for land restitution to the communities, or for allowing grazing or providing permits to cross the land. Former forms of land usage by nomadic and semi-nomadic pastoralists were not considered. Somali herders are particularly distanced and ethnically discriminated against, because the estate manager sees them as a threat to the estate's security. About 11 000 acres of this area have recently been ranched to create a wildlife sanctuary with profitable investment for safari tourism. Unfortunately, this has placed more stress on water resources. The ranching includes luxury lodges and game imported from other parts of the African continent. The manager was part of a family of British settlers who arrived in Northern Kenya in the early 19<sup>th</sup> century and whose business has always been concerned with wildlife hunting, and now capturing animals for game parks.

#### *Water grabs*

Conflicts are also caused by injustice around the use of water from the Mwatate river. Located in a dry region and subject to extreme seasonal droughts, the estate is by far the largest water user in the Mwatate catchment area. Local people have to pay to collect drinking water from private providers, and this expenditure takes a substantial proportion of their revenue (Räsänen 2015).

The owners claim that they tolerate outsiders collecting water from the reservoir, although people do not use it regularly because the water is considered to be unclean. In times of severe drought when boreholes are dry, access to the reservoir is fundamental to the survival of livestock and the people. However, in 2012 they were forbidden to get close to the lake: *“The manager was claiming that the community is drawing a lot of water, so she cannot clean the fibre (...) The sisal estate places too many restrictions. We are not even allowed to harvest sisal poles, which is firewood”* (woman interviewed in Mwatate in May 2013).

According to the estate manager, the biggest problem in the reservoir is the massive erosion on the western side that has created a large gully, and the resulting siltation has divided the dam into two parts. She blamed the Pelelesa community, said to bring 5000-6000 cattle along the gully to the reservoir in the dry season, every year. They do not necessarily go close to the reservoir, but their grazing upstream could cause siltation. She said the cattle bring diseases and cause landslides, but they cannot do anything to forbid their coming. The fact that soil erosion is extensive everywhere within the estate, not only because of the pastoralists’ cattle, was not mentioned.

To block the erosion, the estate intervened by building brick barriers across the gully and gabions along the riverbanks but then erosion further increased, caused by a road construction uphill. A more recent plan was then to channel the water directly from the hill above into the plantation, to reduce the flow into the gully. The pastoralists and their cattle no longer had access to the water as a consequence of these works.

The estate has 11 boreholes over 100 metres deep that were built in 1970s with the official purpose of serving the domestic needs of the employees living on the estate, for the cattle and for irrigation of minor tobacco plantations. However, according to interviewees from outside the estate, it was known that workers living inside had very restricted limits imposed on use of water for domestic purposes, and practically no right to grow subsistence crops independently. One of the managers admitted that for the sisal processing, the company was using the boreholes rather than the water from the reservoir, because the latter is silted and discolours the fibres, resulting in a lower quality product. Another interviewee confirmed that for sisal washing, the water from the reservoir was only used in cases of emergency. This is what was happening at the time of the interviews in 2013, when a major drought had caused dramatically-reduced flows from the boreholes. More recently, a wastewater recycling project has been established, to allow saving water and reusing it for the fiber washing.

The sisal estate also rears some cattle within its circular production economy. It is a closed circuit of water uses. After the sisal has been washed, wastewater is used for the irrigation of the Napier grass used to feed the cattle. Other forage comes from the removal of the green parts from the sisal leaves which produces “green porridge” when mixed with wastewater. This is also used as fertiliser in the fields. The entire cycle remains within the sisal production, while there is no evidence that a safe amount of water is left for other uses and users on the estate.

### **Territorialised space and biopolitical control**

The landscape of the estate is characterised by the geometric design of the plantation and the drying lines of the fibre after washing. The estate is organised as an enclave territory with extra sovereignty in the hands of a board of administrators, and where citizenship is built on the basis of labour. At the time of our visit, the company had 2000 employees and 4000 dependents (spouses and children). Its infrastructure includes internal roads, railways for transporting materials, a factory unit and settlement areas, but they are old, as there has been poor investment in the past few decades. The industrial output mostly depends on the human workforce, because of the low-tech production assets.

The area is accessible from a few gates which are patrolled by guards especially to keep the neighbouring communities away. Entry permits are needed. Public roads crossing the estate should be accessible to neighbouring communities, but the estate ignores this legal obligation: *“Sometimes we are even restricted to go to Mwatate through the farm, even on foot, and by car. We have to move outside the sisal estate to go to Mwatate. There are many gullies on this side, so it is difficult. Even cars are restricted. So, it would be shorter to go through, but now have to go from Bura”* (woman interviewed in Mwachabo near Mwatate in February 2013).

The Kenyan state maintains a soft hand in relation to the estate, avoiding conflicts and considering especially the value of the expected income from taxation. It has even installed a police station inside the estate, to help in maintaining order.

What makes the political environment more conflictual is the local people’s perception that the estate only draws on resources and does not give out enough to the communities, not even to provide decent living conditions for the workers. Only 15% of the workforce are from Taita and maintaining their households in Mwatate, while the majority are migrant and living inside the estate area; they not only have little access to water and other resources, but they are not permitted to cultivate their own crops in small gardens around their homes.

One factor that has not yet received appropriate focus is the situation of the workforce involved in sisal production. Inside the camp, life and work are regulated with meticulous biopolitical order in restricted conditions. The processing of sisal involves several stages, namely decortications and extraction of the fibre, drying, brushing and baling. The estate attracts migrants from several regions of Kenya. Internal production involves a largely non-local workforce that the administrator clearly defined as belonging to a distinct ethnicity, so that “*different physical characters*” can be exploited to serve the cycle’s needs better. The manager we interviewed spoke of “*muscularity, height and agility*” as criteria for the specific tasks. She was also more specific, saying that “*People from Central Kenya are muscular, but Kambas and nowadays even Taitas can be used for the lighter work*”. The conditions of exploitation of the workforce have not improved since Kenya was a British colony. Some operations like collection and decortication of a plant with so many needles, require physical effort and pain, but no means to alleviate that pain nor protective gear are provided. We saw workers washing the sisal in cleaning solutions barehanded, but wearing brand new protecting masks over their mouths, perhaps due to our presence. “*Manpower is a problem*” so admitted the manager we interviewed, but without taking any responsibility, or promising to improve the working conditions. “*The work is also heavy because there are no machines, or they are very old. The youngest machines are 60 years old.*” This statement also clarified how little investment there has been in productive machinery, since profits have been based on *cheap* labour (Patel and Moore 2017). No guarantees are in place for workers against market fluctuations: the financial crisis of 2008 caused a cut of 1200 jobs on the estate (Ocharo 2018). A woman interviewed in Mwatate East in 2014, retired from the sisal estate where she was working as a sisal cutter, remembered that at that time “*with the new management, the work of four was given to one person*”. Weak unionisation and silencing make these issues invisible.

Instead, the manager claimed the estate’s importance in the local economy: “*There would be no Mwatate without the Estate!*” she argued, referring to the 18 million shillings/month (around €150 000 /month) in wages to Mwatate households the estate was paying to the Taita employees in 2013.

Instead of intervening to improve labour conditions of the workers, the estate’s choice was to intervene in other aspects of the workers’ lives. The description of the services offered to the workers included housing, schools, groceries, churches and mosques, and funeral halls. According to the manager, this meant that every need was provided for by the estate, and therefore, workers would not usually need to go outside. What is this, if not a persistence of paternalistic control over the lives of the racialized workforce, by settler entrepreneurs?

Workers and their families could only live on the estate during their periods of employment. Retirement and acquired disabilities mean that the workers lose the right to remain and they are required to vacate their houses for substitute workers. Outside the estate, in Mwatate, we interviewed retired workers who had previously grown up on the estate and had never seen anything else. It was not easy for them to reorganise their lives. They mentioned other workers who had become disabled. They suffered severe difficulties and a precarious life, especially as they could not return to their communities of origin.

Compared to the injustices suffered by the Singila and other evicted groups that protest loudly, the injustices suffered by the migrant sisal workers remain unexpressed. In 2015, Taita-Taveta governor John Mruttu officially denounced the low level of benefits provided to the local communities, compared to sisal estate workers in Tanzania who could use land for their own farming (Mwadime 2015). However, the central government has not shown any interest in intervening in the internal settings of the estate, while supporting the successful income of a wealthy corporation providing fiscal 'rewards' to the state. Could taxation flows solve the complex human, environmental and political conflicts produced by the monoculture exploitation of an ancestral area? In the view of the hegemonic actors of this story - the estate managers and central government - the financial and productive dimension had a strict priority, while all other cultural, social, political and economic dimensions could be paternalistically covered by the estate. Obviously, issues of land dispossession, water rights and traditional livelihoods were outside the discussion.

## **Conclusions**

The focus in this paper has been on spaces of colonial persistence in Africa and the specific case of the sisal estate in Taita, Kenya. The plantation is not only a space of production, but it involves all social, ecological and reproductive functions, that are organised to serve production.

Authoritarianism, property expansion and other practices have kept this capitalist occupation alive and as an enclave of territorialised space, the sovereignty and regulative order of which make it close to a space of exception.

Through this case, following Patel and Moore (2017), I recognise that capitalist accumulation is using lives as a cheap commodity, by requiring workers to dispose of all their human, social and cultural (e.g. religious) functions. Moreover, in Foucauldian terms, the case has shown that the managers of the estate defuse their possible political agencies through a strict selection of the bodies who can access it and by activating biopolitical control. Finally, the estate acts with full political sovereignty that has become a continuation of the benefits acquired during the colonial era.

The estate is not only a land grab area, but it is a complex world made up of different realities, processes, connections, that are visible from different points of view and at different scale levels. The sisal estate is connected to the national and local levels of government, to the internal residents and the population living in Mwatate, to the media, to pasture and water catchment users, to other productive clusters and outside markets agents, to financial brokers, and surely to other groups and realities that I was not able to recognise at the time of the fieldwork and during the writing process. The relationship between the estate and the Kenyan host state varies across scales. At the national scale, the state government has pursued neoliberal capitalist politics that encourages continuous privatisation of customary land without ensuring protection of sustainable working conditions or the respect of traditional rights. At the regional level of the Taita-Taveta County, the local administration is more closely involved and knowledgeable about local struggles but seems to have no means by which to negotiate resource justice with the sisal estate.

While researching this case study, my intention was to present a situation of oppression of workers on either sides of the borders of the Teita Sisal Estate, and of struggles that remain parcelled up and hidden. I wanted to know about the oppression *inside* the estate, and the precarious living *outside* the estate, but the conditions of total authoritarian control of the corporation managers made it impossible for me to experience the *inside* beyond what the authorities of the estate allowed me to see, hear, and understand. Methodologically, the borders of the estate have defined the limits of my knowledge at the time of this research. Outside, we could gather some information about factual things like lack of access to land, evictions, and protests; while inside, we could only deal with the presentation made by the estate managers, even for things that concerned the lives of people, whose needs seemed to have been paternalistically solved. In other words, labour is extracted from people, while the other living functions are considered to be in *excess* (Tuck and Young 2012), and *disposable* at the end of the productive capacity of the workers' bodies (Bales 1999). The local migrant workers are silenced completely, and I was not able to find out what social history the estate had provided them with during its almost century-long existence. The narratives of the managers and state officials made the life *inside* appear to be uneventful. According to them, the only relevant changes related to new infrastructure and top-down interventions, or environmental changes due to drought and soil erosion. The agency of working residents is unheard of. The few political events reported by the media did not come from inside the estate, but from outside, especially from Singila who were still resisting land eviction.

In order to get information about the people living on the estate, I had to address questions to those living *outside* about the life *inside*. A few interviewees had previous direct experience as workers living there until their retirement and consequent expulsion, while most of them reported some

*echoes* about the living conditions inside, and their direct experience of losses: of ancestral land, water, pasture land for grazing, access to the public road and mobility rights. Other gaps in public reporting, or *absences* (de la Cadena 2015) which I believe are common in most authoritarian spaces of agrarian corporations in Africa, were filled by observing the regulations in the camp, the production techniques, and words and narratives that were used in the interviews. For instance, those words “*muscularity, height and agility*” to distinguish the racialized workers, were as meaningful as many of the incongruences in the information provided about sources, amounts and quality of water used in the sisal process, and the water the resident workers were permitted to access.

Another major *absence* regards the communities’ political agency. A step forward could be to make contacts with wider organisations *outside* and especially trade unions, at least to overcome the social, cultural and political fragmentation given by the choice of the managers to import workers from other regions and ethnicities.

What would be the best way to network these different realities to link partial connections in common alliances? Could trade unions take this role? Officially, every company should allow the presence of union representatives, but in what we saw, there was no sign of their effective presence. Instead of keeping cases like this at the regional level, they should be scaled up nationally, with interventions by trade unions on the national government.

The case of the Teita Sisal Estate is far from merely being a local one. As discussed by Cotula (2017), this space of exception transcends the confines of local and national polities as its existence derives from the integration into the global economic ordering, especially in export-oriented activities in low and middle-income countries based on natural extractivism and cheap labour. This case has relevance world-wide.

As observed by Manji (2012), the ongoing phase of “investor rush” by new foreign corporations in Kenya is alarming and has been due to corruptive behaviour by members of the government and the legal professional.

Segregation, dispossession of communal lands, privatisation, fragmentation, ecological manipulation and the blockading of traditional mobility and customary rights are all consequences of these grabs that should be reversed in all those spaces. Territorial governance cannot be left in the hands of authoritarian corporations extracting financial value from lands and natural resources but has to be reclaimed through a democratic and environmentally just transition.



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